

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Lily Kim	Team: Squad #6	CCRB Case #: 202004436	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 06/18/2020 3:30 PM	Location of Incident: On the corner of Dean Street and 6th Avenue	Precinct: 78	18 Mo. SOL 12/18/2021	EO SOL 5/4/2022	
Date/Time CV Reported Thu, 06/18/2020 4:52 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Thu, 06/18/2020 4:52 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POF Staci Jogie	31119	965222	078 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Staci Jogie	Off. Language: Police Officer Staci Jogie made remarks to § 87(2)(b) based upon race.	

Case Summary

On June 18, 2020, § 87(2)(b) filed this complaint via the CCRB Call Processing System.

On June 18, 2020 at approximately 3:30 p.m., § 87(2)(b) walked through the intersection of 6th Avenue and Dean Street in Brooklyn. The street and sidewalks on 6th Avenue were blocked by silver metal barricades and PO Staci Jogie of the 78th Precinct stood guard. PO Jogie allowed approximately five light-complexioned individuals pass through the gate but did not allow § 87(2)(b) to pass through. § 87(2)(b) asked PO Jogie why she could not pass through. PO Jogie responded that “people like you beat up cops” (**Allegation A—Offensive Language**, § 87(2)(g)). § 87(2)(b) interpreted this statement as having to do with her race. No arrests or summonses resulted from this incident.

No video footage has been obtained of this incident. The nature of the incident did not require the use of BWC as per the Patrol Guide.

Findings and Recommendations

Allegation A—Offensive Language: Police Officer Staci Jogie made remarks to § 87(2)(b) based upon race.

§ 87(2)(b) testified that (**BR 01**) on June 18, 2020 at approximately 3:30 p.m., § 87(2)(b) attempted to walk southbound down 6th Avenue towards the intersection of Dean Street and 6th Avenue. There were two silver metal barricades which blocked the street and sidewalks. PO Jogie stood guard in a gap between the barricades. PO Jogie allowed a few individuals to go through, so § 87(2)(b) approached the barricade. § 87(2)(b) noticed that the people PO Jogie let through were all light-complexioned or white, unlike § 87(2)(b) who is Indian and dark-complexioned. PO Jogie told § 87(2)(b) that she cannot go through, because “people like you beat up cops.” § 87(2)(b) understood PO Jogie’s statement to refer to her race. § 87(2)(b) was confused as PO Jogie had a similar complexion to § 87(2)(b). PO Jogie let at least five people pass without stopping them or asking them any questions. PO Jogie did not ask § 87(2)(b) any questions and told her she was following her boss’ orders. PO Jogie did not provide any other reason why § 87(2)(b) could not go through. No protests were going on in the vicinity at the time. After about ten minutes, PO Jogie opened the barricade to let someone else through, and § 87(2)(b) went through. PO Jogie did not try to stop § 87(2)(b). There were no other officers with PO Jogie at the time of the incident. As the investigation confirmed that this was a “frozen zone” and § 87(2)(b) was not stopped, no stop allegation was pleaded.

PO Jogie testified that (**BR 02**) on June 18, 2020 at approximately 3:30 p.m., she finished roll call and immediately went out to the barrier at Dean Street and 6th Avenue to relieve the officers assigned to the previous tour. PO Jogie did not recall who she relieved of their guard duty. There were barriers on 6th Avenue at Bergen Street and Dean Street. The street was blocked off as a “frozen zone” and PO Jogie received instructions to only allow police officers and delivery/construction workers to pass through. PO Jogie was alone at her post for five minutes when § 87(2)(b) approached her and requested to pass through the gate for her doctor’s appointment. § 87(2)(b) was not the first civilian to approach PO Jogie about going through. PO Jogie instructed the other civilians to go around. PO Jogie may have allowed plainclothes officers or officers in street clothes out of the frozen zone, as the time of occurrence was at the transition between tours. Since they were in plainclothes, § 87(2)(b) may not have identified them as officers. PO Jogie informed § 87(2)(b) that civilians could not pass through and had to

go around the block. § 87(2)(b) screamed that this was illegal and that they had called lawyers about removing the barriers by the stationhouse. PO Jogie explained to § 87(2)(b) that the police department had created this frozen zone to protect the officers from protestors. PO Jogie did not provide any other explanation as to why § 87(2)(b) could not go through. PO Jogie described § 87(2)(b) as a short Indian female with dark complexion and black hair. PO Jogie did not make any comments about § 87(2)(b)'s race. PO Jogie did not state that § 87(2)(b) could not go through because "people like you beat up cops." PO Jogie did not discuss civilians using force against police officers besides mentioning that the riots and protestors are the reason for the barriers. PO Jogie did not allow civilians through the barriers at any time while she was at her post. About a minute and a half into the interaction, an unmarked vehicle approached the gate. PO Jogie did not know who was in the vehicle and did not interact with the occupants in the vehicle. PO Jogie identified it as a police vehicle or an NYPD staff member's personal vehicle by a plaque or label and opened the gate to let it into the frozen zone. § 87(2)(b) went through the gate when PO Jogie opened it for the vehicle. PO Jogie did not do anything when § 87(2)(b) went through the gate because she was the only one at her post.

§ 87(2)(g)

[REDACTED]

§ 87(2)(g)

[REDACTED]

Civilian and Officer CCRB Histories

- This is the first complaint to which § 87(2)(b) has been party (**BR 03**).
- PO Jogie has been a member-of-service for 2 years and this is the first CCRB complaint to which she has been a subject.

Mediation, Civil and Criminal Histories

- On July 1, 2020, § 87(2)(b) declined to mediate.
- According to the Office of Court Administration (OCA), § 87(2)(b) has no history of convictions in NYC (**BR 04**).
- A Notice of Claim Inquiry was submitted to the NYC Comptroller's Office on September 24, 2020 and will be included in the case filed upon receipt (**BR 05**).

Squad No.: 6

Investigator:	<u>Lily Kim</u> Signature	<u>Investigator Lily Kim</u> Print Title & Name	<u>9/28/2020</u> Date
Squad Leader:	<u>Jessica Peña</u> Signature	<u>IM Jessica Peña</u> Print Title & Name	<u>10/10/2020</u> Date
Reviewer:	<u></u> Signature	<u></u> Print Title & Name	<u></u> Date